

1 PHILLIP A. TALBERT
United States Attorney
2 MATHEW W. PILE, SBN WA 32245
Associate General Counsel
3 Office of Program Litigation, Office 7
4 MARGARET LEHRKIND, CSBN 314717
Special Assistant United States Attorney
5 160 Spear Street, Suite 800
San Francisco, CA 94105
6 Telephone: (510) 970-4829
7 Facsimile: (415) 744-0134
Attorneys for Defendant

9
10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA
12 FRESNO DIVISION

13 JAMES JOHN ROMO,) Case No.: 1:21-cv-01587-EPG
14)
Plaintiff,) STIPULATION TO REMAND AND
15) ORDER
vs.) (ECF No. 18)
16)
17 ACTING COMMISSIONER OF SOCIAL)
SECURITY,)
18)
Defendant.)
19

20
21 IT IS HEREBY STIPULATED, by and between the parties, through their undersigned
22 attorneys, and with the approval of the Court, that the Acting Commissioner of Social Security
23 has agreed to a voluntary remand of this case pursuant to sentence four of 42 U.S.C. § 405(g).
24 The purpose of the remand is to offer Plaintiff a new decision.

25 On remand, the Commissioner will further develop the record as necessary, and issue a
26 new decision. The parties further request that the Clerk of the Court be directed to enter a final
27 judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the
28 Commissioner.

1 Respectfully submitted this 9th day of November, 2022.

2
3 Dated: November 10, 2022

/s/ Jonathan O. Peña
JONATHAN O. PEÑA
Attorney for Plaintiff
(as approved via email)

4
5
6 Dated: November 10, 2022

PHILLIP A. TALBERT
United States Attorney

7
8
9 By: /s/ Margaret Lehrkind
MARGARET LEHRKIND
Special Assistant United States Attorney
10
11 Attorneys for Defendant
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment (ECF No. 18), and for cause shown, IT IS ORDERED that the above-captioned action is remanded to the Commissioner of Social Security for further proceedings consistent with the terms of the Stipulation to Remand. The Clerk of the Court is respectfully directed to enter a judgment in favor of Plaintiff and against Defendant.

IT IS SO ORDERED.

Dated: **November 10, 2022**

/s/ Eric P. Gray
UNITED STATES MAGISTRATE JUDGE